

**EXHIBIT A**

To: 15102671544 From: 13232073885 Date: 05/11/16 Time: 11:57 AM Page: 02/09

SUM-100

**SUMMONS  
(CITACION JUDICIAL)**

**NOTICE TO DEFENDANT:  
(AVISO AL DEMANDADO):**

Diversified Consultants, Inc., and DOES 1 through 10, inclusive

**YOU ARE BEING SUED BY PLAINTIFF:  
(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

Danielle Green,

FOR COURT USE ONLY  
(SOLO PARA USO DE LA CORTE)

**FILED BY FAX**  
ALAMEDA COUNTY

May 11, 2016

CLERK OF  
THE SUPERIOR COURT  
By Amrit Khan, Deputy

**NOTICE!** You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. ¡AVISO! Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), en el Centro de Ayuda de las Cortes de California, ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desear el caso.

The name and address of the court is:  
(El nombre y dirección de la corte es): Superior Court of Alameda County

CASE NUMBER:  
(Número del caso) 16815959

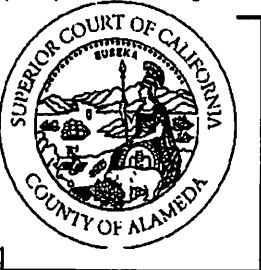
1225 Fallon St. Oakland, CA 94612

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:  
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):  
L. Paul Mankin, Esq., 4655 Cass St., Ste. 112, San Diego, Ca 92111

DATE: May 11, 2016  
(Fecha)

Clerk, by  
(Secretario) Deputy  
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)  
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).



**NOTICE TO THE PERSON SERVED: You are served**

1. ☐ as an individual defendant.  
2. ☐ as the person sued under the fictitious name of (specify):

3. ☐ on behalf of (specify):

under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)  
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)  
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)  
☐ other (specify):

4. ☐ by personal delivery on (date):

Page 1 of 1

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 www.paulmankin.com  
 Attorney for Plaintiff

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
 FOR THE COUNTY OF ALAMEDA  
 LIMITED JURISDICTION**

Case No.

**DANIELLE GREEN,**

Plaintiff,

vs.

**DIVERSIFIED CONSULTANTS, INC., and)**

**DOES 1 through 10, inclusive,**

Defendant.

) **COMPLAINT FOR VIOLATION**  
 ) **OF ROSENTHAL FAIR DEBT**  
 ) **COLLECTION PRACTICES ACT AND**  
 ) **FEDERAL FAIR DEBT COLLECTION**  
 ) **PRACTICES ACT**

) **(Amount not to exceed \$10,000)**

- ) 1. Violation of Rosenthal Fair Debt  
 Collection Practices Act  
 ) 2. Violation of Fair Debt Collection  
 Practices Act  
 )

**I. INTRODUCTION**

1. This is an action for damages brought by an individual consumer for Defendant's violations of the Rosenthal Fair Debt Collection Practices Act, Cal Civ Code §1788, *et seq.* (hereinafter "RFDCPA") and the Fair Debt Collection Practices Act, 15 U.S.C. §1692, *et seq.* (hereinafter "FDCPA"), both of which prohibit debt collectors from engaging in abusive, deceptive, and unfair practices.

## II. PARTIES

2. Plaintiff, Danielle Green ("Plaintiff"), is a natural person and is a "consumer" as defined by the FDCPA, 15 U.S.C. §1692a(3) and is a "debtor" as defined by Cal. Civ. Code §1788.2(h). Plaintiff at all relevant times with respect to this complaint was a resident of Alameda County California within the city of Oakland.

3. At all relevant times herein, Defendant, Diversified Consultants, Inc. ("Defendant") was a company engaged, by use of the mails and telephone, in the business of collecting a debt from Plaintiff which qualifies as a "debt," as defined by 15 U.S.C. §1692(a)(5), and a "consumer debt," as defined by Cal. Civ. Code §1788.2(f). Defendant regularly attempts to collect debts alleged to be due another, and therefore is a "debt collector" as defined by the FDCPA, 15 U.S.C. §1692(a)(6), and RFDCPA, Cal. Civ. Code §1788.2(c).

4. Plaintiff does not know the true names and capacities, whether corporate, partnership, associate, individual or otherwise, of Defendants sued herein as Does 1 through 10, inclusive, and therefore names said Defendants under provisions of Section 474 of the California Code of Civil Procedure.

5. Plaintiff is informed and believes, and on that basis alleges that Defendants Does 1 through 10 are in some manner responsible for acts, occurrences and transactions set forth herein and are legally liable to Plaintiff.

## III. FACTUAL ALLEGATIONS

6. At various and multiple times prior to the filing of the instant complaint, including within the one year preceding the filing of this complaint, Defendant contacted by Plaintiff on his telephone number ending in -0261 regarding an alleged debt owed. Defendant placed many of its collection calls from (510) 931-6667.

1           7.     Within one year prior to the filing of this action, specifically on or around April  
2 of 2016, Defendant caused Plaintiff's telephone to ring repeatedly and continuously to annoy  
3 Plaintiff. Defendant communicated with Plaintiff with such frequency as to be unreasonable  
4 under the circumstances and to constitute harassment. The frequency and pattern of  
5 Defendant's telephone calls to Plaintiff evidences Defendant's intent to harass Plaintiff.  
6

7           8.     As an illustrative example (and not one of limitation), Defendant contacted or  
8 attempted to contact Plaintiff at the following dates and times: April 26, 2016 at 1:51 p.m.  
9

10          9.     On information and belief, on average, Plaintiff has received calls on a virtual  
11 daily basis from Defendant regarding the alleged debt owed.

12          10.    Plaintiff has informed Defendant that Plaintiff does not have the ability to pay  
13 the alleged debt owed, and to cease contacting her.

14          11.    On multiple occasions, Plaintiff demanded that Plaintiff stop contacting her, but  
15 Defendant continued to contact her nonetheless.  
16

17          12.    The natural and probable consequences of Defendant's conduct in contacting  
18 Plaintiff were to harass, oppress or abuse Plaintiff in connection with the collection of the  
19 alleged debt.  
20

21          13.    Defendant's conduct violated the FDCPA and the RFDCPA in multiple ways,  
22 including but not limited to:

- 23           a) Engaging in conduct the natural consequence of which is to harass, oppress, or  
24 abuse Plaintiff (§1692(d));
- 25           b) Causing a telephone to ring or engaging any person in telephone conversation  
26 repeatedly or continuously with intent to annoy, abuse, or harass any person at  
the called number (§1692d(5));
- 27           c) Communicating, by telephone or in person, with Plaintiff with such frequency as  
28 to be unreasonable and to constitute a harassment to Plaintiff under the  
circumstances (Cal Civ Code §1788.11(e)); and

- d) Causing a telephone to ring repeatedly or continuously to annoy Plaintiff (Cal Civ. Code §1788.11(d)).

14. As a result of the above violations of the FDCPA and RFDCPA, Plaintiff suffered and continues to suffer injury to Plaintiff's feelings, personal humiliation, embarrassment, mental anguish and emotional distress, and Defendant is liable to Plaintiff for Plaintiff's actual damages, statutory damages, and costs and attorney's fees.

**COUNT I: VIOLATION OF ROSENTHAL  
FAIR DEBT COLLECTION PRACTICES ACT**

15. Plaintiff reincorporates by reference all of the preceding paragraphs.

16. To the extent that Defendant's actions, counted above, violated the RFDCPA, those actions were done knowingly and willfully.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully prays that judgment be entered against Defendant for the following:

- A. Actual damages;
- B. Statutory damages for willful and negligent violations;
- C. Costs and reasonable attorney's fees; and
- D. For such other and further relief as may be just and proper.

**COUNT II: VIOLATION OF FAIR DEBT  
COLLECTION PRACTICES ACT**

17. Plaintiff reincorporates by reference all of the preceding paragraphs.


**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully prays that judgment be entered against Defendant for the following:

- A. Actual damages;
- B. Statutory damages;
- C. Costs and reasonable attorney's fees; and,
- D. For such other and further relief as may be just and proper.

**PLAINTIFF HEREBY REQUESTS A TRIAL BY JURY**

Respectfully submitted this April 27, 2016

By:   
Paul Mankin, Esq.  
Attorney for Plaintiff